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Date: May 11, 2001

Docket No.: 0425-0838P

Assistant Commissioner for Patents Washington, DC 20231

Sir:

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This is a Request for filing a  $\square$  continuation  $\boxtimes$  divisional continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/509,778 filed on March 31, 2000, the entire contents of which are hereby incorporated by reference, by

Kohshi UENO; Atsushi SASAKI; Koki KAWANO; Tadashi OKABE; Noritaka KITAZAWA; Keiko TAKAHASHI; Noboru YAMAMOTO; Yuichi SUZUKI; Manabu MATSUNAGA; Atsuhiko KUBOTA

for

## CONDENSED PYRIDINE COMPOUND

- Enclosed is an application consisting of specification,  $\boxtimes$ 1. declaration and drawings/photographs claims, applicable).
- 2. 冈 The filing fee has been calculated as follows:

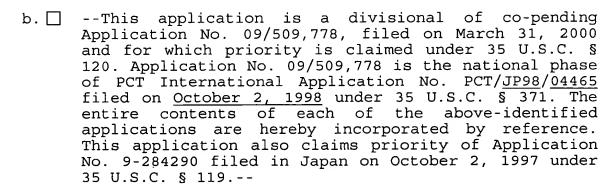
			LARGE ENTITY	SMALL ENTITY		
	BASIC	FEE	\$710.00	\$355.00		
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE		
TOTAL CLAIMS	12-20 =	0 = 0 $x 18 = $0.00$ $x 9 = $0$				
INDEPENDENT CLAIMS	2-3 =	0	x 80 = \$0.00	x 40 = \$0.00		
<del> </del>	DEPENDENT PRESENTED		+ \$270.00	+ \$135.00		
		TOTAL	\$980.00	\$0.00		

3.	$\boxtimes$	Α	check	in	the	amount	of	\$980.00	to	cover	the	filing
		fe	e and	reco	ordin	g fee	(if	applicab:	le)	is enc	lose	d.

4.	Ple	ase	char	ge	Deposit	Accoun	t No.	02-	-2448	in	the	amo	unt
	of	\$0	.00.	Ā	tripli	.cate d	сору	of	this	r	eque	st	is
	enc	lose	ed.										

5.	Amend	the	specification	by	inserting	before	the	first	line
	therec	of th	e following:						

a. 🗌		application				
	☐ division	onal 🗌 contin	uation-:	in-part	of co-pend	ding
	Application	on No. 09/509,	778, fi]	led on M	arch 31, 20	000,
	the entir	e contents of	which a	re herek	y incorpora	ated
	by refere	nce and for wh	ich pri	ority is	claimed ur	nder
	35 U.S.C.	§ 120; and th	is appli	cation o	claims prior	city
	of Applic	cation No.	file	ed in	on	
	under 35	U.S.C. § 119				



6.		Enclosed is/are () sheet(s) of formal drawings and/or photographs.
7a.		A statement claiming small entity status was filed in prior Application No. 09/509,778 on See the attached copy of the statement claiming small entity status.
7b.		The current application qualifies for small entity status.
8.	$\boxtimes$	The prior application is assigned to Eisai Co., Ltd.
9.		A Preliminary Amendment is enclosed.
10a.		Priority of Application No(s) filed in on is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on
10b.		Priority of International Appln. <a href="PCT/JP98/04465">PCT/JP98/04465</a> filed on <a href="October 2">October 2</a> , <a href="1998">1998</a> under the Patent Cooperation Treaty and <a href="Japanese">Japanese</a> Application No. <a href="9-284290">9-284290</a> filed in <a href="Japan">Japan</a> on <a href="October 2">October 2</a> , <a href="1997">1997</a> under 35 U.S.C. <a href="1998">§ 119</a> are hereby reclaimed.
11.		An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12.	$\boxtimes$	Address all future communications to:
		BIRCH, STEWART, KOLASCH & BIRCH, LLP P.O. Box 747 Falls Church, VA 22040-0747 Telephone: (703) 205-8000 or Customer No. 2292
13.		An extension of time for() month(s) until has been submitted in parent Application No. 09/509,778 in order to establish co-pendency with the present application.
14.		Also enclosed herewith is the following:
		•

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Raymond C. Stewart, #21,066

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RCS/RG/clb 0425-0838P

Attachments

(Rev. 01/23/01)